(84)

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) No. 3576 of 2007

PETITIONER : Mithai Lal son of Katif Lal, aged about 45 years, working as Tulawati, Chhattisgarh State Civil Supplies Corporation Limited, Ambikapur, Distt. Surguja (C.G.), resident of Umeshpur, Post Ambikapur, Distt. Surguja (C.G.)

VERSUS

RESPONDENTS : 1. Union of India, through the Secretary, Department of Home Affairs, New Delhi.
2. Chhattisgarh State Civil Supplies Corporation Limited, through its General Manager, (Admn.) Bal Ashram Parisar, Kachahri Chowk, Raipur (C.G.)
3. Madhya Pradesh State Civil Supplies Corporation Limited, Bhopal, through – its General Manager.
4. State of Madhya Pradesh Through – The Secretary, Deptt. of Civil Supplies, Bhopal (MP)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA.

Single Bench : Hon'ble Justice Shri Satish K. Agnihotri.

Present: Shri Sunil Tripathi, Advocate for the petitioner.
Shri S.K.Beriwal, Standing counsel for respondent No. 1.

ORDER

(Passed on 27th day of June, 2007)

1. By this petition under Article 226 of the Constitution, the petitioner challenges the legality and validity of the order dated 25th Jan. 2007 (Annexure P/8) passed by the Government of India, Ministry of Home Affairs, in exercise of its power under section 60 of the Madhya Pradesh State Re-organization Act, 2000. The service of the petitioner, by the said order, has been allocated to the State of Madhya Pradesh.

2. The petitioner impugns the above order on the ground that the he is a bonafide and permanent resident of District Surguja and being Class IV employee, he should not be transferred to a remote place.

3. Be that as it may, the Government of India has exercised its power after having considered all the aspects by passing the order of allocation. Thus, the said order has attained finality. The petitioner has not pointed out any irregularity, illegality, discrimination or unreasonableness, or procedural error in the impugned order. Thus, no interference is warranted. There is no semblance of any right and breach of the same thereof. Accordingly, the petition is dismissed summarily.

Sd/-
Satish K.Agnihotri
Judge